

### REMARKS

Claims 25-37 and 53-63 are presented for consideration by the Examiner. By this Preliminary Amendment, clarifying language has been added to the specification consistent with amendments made to the parent application, U.S. Patent Application Serial No. 10/267,436. It is noted that the claims presented herein include claims that were restricted from the parent application, including new claims 62 and 63, which correspond to claims 76 and 77 of the parent application. As discussed in the parent application, support for these new claims is provided, inter alia, in FIGS. 8-11, and particularly, FIG. 10.

Applicant notes that the modifications and additions made by this amendment are supported in the disclosure, and are therefore not new matter. M.P.E.P. §608.01(1) (In establishing a disclosure, applicant may rely on the description and drawings); In re Edward, Rice and Soulen, 196 U.S.P.Q. 465, 467 (CCPA 1978) ("To comply with the description requirement it is not necessary that the application describe the claimed invention in *ipsis verbis* ... all that is required is that it reasonably convey to persons skilled in the art that, as of the filing date thereof, the inventor had possession of the subject matter later claimed [or added] by him."); M.P.E.P. § 2163.07("Mere rephrasing of a passage does not constitute new matter. Accordingly, a rewording of a passage where the same meaning remains intact is permissible.") (citing In re

Anderson, 176 U.S.P.Q. 331 (CCPA 1973)). The language that has been added to the specification by this amendment has been added as a clarifying rephrasal of what had already been provided in the original application, and thus does not include new matter for the reasons expressed above as supported by the legal authority cited.

In view of the foregoing, applicants believe that claims 25-37 and 53-63 are all allowable and the same is respectfully requested. If any impediment to the allowance of these claims remains after entry of this Amendment, and such impediment could be alleviated during a telephone interview, the Examiner is invited to initiate the same.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 50-0836.

DATED this 30 day of March, 2004.

Respectfully submitted,



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